

1133279-0017

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Pazienza, et al.  
Serial No. : 10/071,071  
Filed : February 8, 2002  
For : CRIMPABLE INTRALUMINAL ENDOPROSTHESIS  
HAVING HELICAL ELEMENTS  
Examiner : U. Chattopadhyay  
Group Art Unit : 3738

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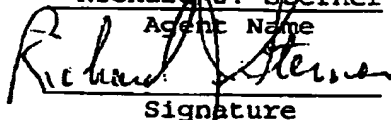
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Agent Name

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PTO Reg. No.

  
Signature

November 16, 2004

Date of Signature

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No. of pages: 4

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTIFICATION OF ERROR IN PAYMENT OF FEES AS A SMALL ENTITY  
(37 CFR §1.28(C))

Sir:

When the instant application was filed on February 8, 2002,  
an erroneous claim to small entity status was made inadvertently  
and without deceptive intent. Again without deceptive intent,  
this claim was never subsequently withdrawn. This Notification

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1133279-0017

of Error is submitted in order to effect payment of deficiencies owed in accordance with the rules. The claim to status as a small entity is hereby withdrawn.

**PAYMENT OF FEES AS SMALL ENTITY**

- 1) The basic application filing fee of \$370 was paid on February 8, 2002. The current fee amount for a non-small entity is \$790, and the deficiency owed is thus \$420.
- 2) An excess total claims fee of \$153 was paid on February 8, 2002. The current fee amount for a non-small entity is \$306, and the deficiency owed is thus \$153.
- 3) An excess independent claims fee of \$126 was paid on February 8, 2002. The current fee amount for a non-small entity is \$264, and the deficiency owed is thus \$138.
- 4) A late declaration surcharge of \$65 was paid on April 8, 2002. The current fee amount for a non-small entity is \$130, and the deficiency owed is thus \$65.
- 5) A one-month extension fee of \$55 was paid on January 7, 2004. The current fee amount for a non-small entity is \$110, and the deficiency owed is thus \$55.

1133279-0017

6) A one-month extension fee of \$55 was paid on July 26, 2004. The current fee amount for a non-small entity is \$110, and the deficiency owed is thus \$55.

7) The issue fee of \$665 was paid on September 22, 2004. The current fee amount for a non-small entity is \$1,370, and the deficiency owed is thus \$705.

**FEE PAYMENT FOR DEFICIENCY**

As can be determined from the itemized information above, the total deficiency owed, i.e., the difference between the amount of fees paid by Applicants at the small-entity level and the currently set amount of those fees for a non-small entity, is \$1,591. Authorization is hereby given to charge this sum to Deposit Account No. 23-1703. To the knowledge of Applicants' agent, no other fees of small-entity level were paid by Applicants or charged by the PTO. However, should it be determined that any additional deficiencies exist, said deficiencies may likewise be charged.

1133279-0017

This submission is made in good faith and meets all of the requirements of 37 CFR §1.28(c)(2).

Date: November 16, 2004

Respectfully submitted,



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